7. The automatic car wash facility shall provide not less than 3 holding spaces for each 20 lineal feet of car washing aisle and not less than 2 drying spaces.

8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.

9. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.

10. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.

11. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.

12. The car wash shall be constructed with a dryer and shall not be operated without the dryer. There shall be no extra fee charged for the use of the dryer, unless otherwise approved by the Board of Zoning Appeals within two years (by November 28, 1991).

13. This service station and car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception, and all improvements shall be completed within one year after recording of the associated plat, or the resolution authorizing this accessory car wash shall become null and void.

14. As required on the C.U.P., a landscape plan for the frontages along 21st and Rock Road shall be submitted to the Planning Department for review and approval prior to a building permit being obtained for this site.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 9

November 28, 1989

SECRETARY'S REPORT

CASE NUMBER: BZA 45-89

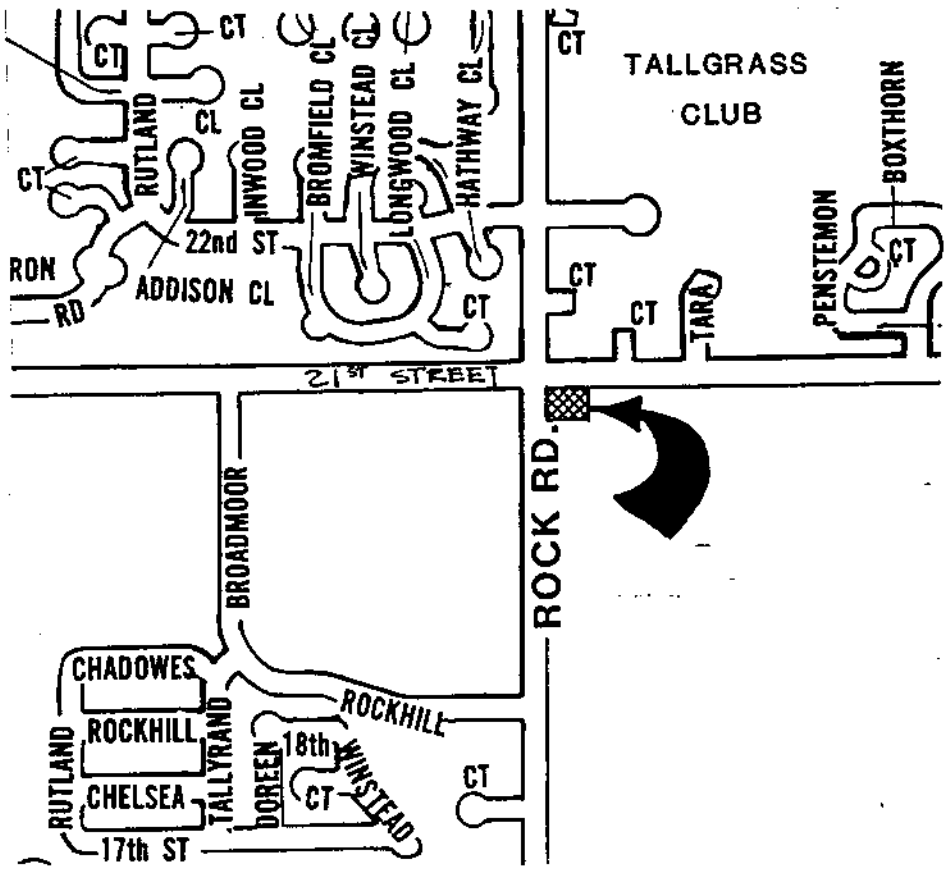
OWNER/APPLICANT/AGENT: Wilson Estates (owner)
Phillips 66 Co. (contract purchaser)
Bill G. Yung Design (agent)

REQUEST: Exception to permit a single-bay, automatic car wash as an accessory use to a service station.

CURRENT ZONING: "LC" Light Commercial District

SITE SIZE: 175 ft. x 200 ft.

LOCATION: Southeast corner of 21st and Rock Road.



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.183.4 can be complied with.

BACKGROUND: The applicant is requesting an exception to permit the establishment of a single-bay, detached, automatic car wash as an accessory use to a proposed Phillips 66 service station at the southeast corner of 21st and Rock Road. The property is being platted as Lot 2, Wilson Estates Addition and is part of the Wilson Property Commercial C.U.P. (DP-191). The C.U.P. requires a number of road improvements (decel lanes, center lanes, medians, possible signalization) to be guaranteed at the time of platting and these guarantees have been made a condition of preliminary plat approval. Several administrative adjustments to the C.U.P. regarding parcel/lot boundaries and joint access drives are also conditions of plat approval. Approval of this BZA exception should be subject to completion and recording of the plat.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Commercial shopping center
SOUTH	"LC"	Undeveloped
EAST	"LC"	Undeveloped
WEST	"LC"	Commercial shopping center

RECOMMENDATION: Should the Board determine that a single-bay, automatic car wash as an accessory use to a proposed Phillips 66 service station is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. Approval of this use exception shall be subject to completion of the plat of Wilson Estates Addition by April 25, 1991, and prior to release of this resolution, or the exception shall be considered denied and closed.

2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.

3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.

4. Signs shall be limited to those permitted by the Wilson Property Commercial C.U.P. (DP-191) and shall comply with all City sign regulations.

5. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.

6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.

WICHITA — SEDGWICK COUNTY

W-SC

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1668
(316) 268-4561

May 23, 1990

Bill Yung
Bill Yung Design
4912 E. 29th St. N.
Wichita, KS 67220

Re: BZA 45-89 - Car wash in "LC" as an accessory use to a proposed service station at the southeast corner of 21st and Rock Road.

Dear Bill:

Enclosed is a signed copy of the above-referenced BZA resolution which has been amended with regard to condition #12 to delete the prohibition against charging a fee for use of the dryer. The Board of Zoning Appeals, at their regular meeting on May 22, 1990, agreed to this change as had been provided for in their previous action on November 28, 1989. All other conditions of this use exception remain as originally approved.

Please call me if you have any questions regarding this matter.

Sincerely,

Louise Olivarez

Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Harry Smits
Phillips 66 Co.
9706 S. Braden
Tulsa, OK 74136

Paul Hays
Lance Flowers
Pat Burnett

7. The automatic car wash facility shall provide not less than 3 holding spaces for each 20 lineal feet of car washing aisle and not less than 2 drying spaces.

8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.

9. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.

10. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.

11. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.

12. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.

13. This service station and car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception, and all improvements shall be completed within one year after recording of the associated plat, or the resolution authorizing this accessory car wash shall become null and void.

14. As required on the C.U.P., a landscape plan for the frontages along 21st and Rock Road shall be submitted to the Planning Department for review and approval prior to a building permit being obtained for this site.

15. The property owner shall maintain all landscape materials provided for this service station and car wash, including those in the areas between the property line and curb.

ADOPTED AT WICHITA, KANSAS, this 22nd day of May, 1990.

Keith A. Alter, President

ATTEST:

Louise Olivarez, Secretary

AMENDED BZA RESOLUTION NO. 45-89

WHEREAS, Phillips 66 Co., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit a single-bay, automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District and legally described as follows:

> The north 250 feet of the west 275 feet of the Northwest Quarter of Section 8, Township 27 South, Range 2 East of the Sixth P.M., Sedgwick County, Kansas, except that dedicated as street right-of-way along Rock Road and 21st Street North. Generally located at the southeast corner of Rock Road and 21st Street North.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of November 28, 1989, consider and approve said application and did, at the meeting of May 22, 1990, reconsider condition #12 as provided for in their previous action; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit a single-bay, automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District, subject to the conditions outlined in Section 28.04.183.4, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit a single-bay, automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District and legally described as follows:

> The north 250 feet of the west 275 feet of the Northwest Quarter of Section 8, Township 27 South, Range 2 East of the Sixth P.M., Sedgwick County, Kansas, except that dedicated as street right-of-way along Rock Road and 21st Street North. Generally located at the southeast corner of Rock Road and 21st Street North.

subject to the following conditions:

1. Approval of this use exception shall be subject to completion of the plat of Wilson Estates Addition by April 25, 1991, and prior to release of this resolution, or the exception shall be considered denied and closed.

2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.

3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.

4. Signs shall be limited to those permitted by the Wilson Property Commercial C.U.P. (DP-191) and shall comply with all City sign regulations.

5. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.

6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.